UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,335	07/30/2003	Chen Sun		8747

7590 04/10/2007		EXAMINER
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ART UNIT	PAPER NUMBER
2109	

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SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/10/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

	Application No.	Applicant(s)
Office Action Summary	10/630,335	SUN, CHEN
	Examiner	**Art Unit**	
	Adam S. Weintrop	2109	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *30 July 2003*.

2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-11* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-11* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *30 July 2003* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1.   **Claims 1-11** are objected to because of the following informalities:

Regarding **claim 1**, the term "the non-protocol portion" in line 1 has not been defined and needs to be replaced with -- a non-protocol portion --. The term "the individual's" on line 3 has not been defined and also does not agree with the plural definition in line 2, and should be replaced with -- one of the individuals' --. The phrase "the third level" on line 3 also needs to be replaced with -- a third level --. The phrase "the Internet http addressing" on lines 7-8 needs to be replaced with -- Internet http addressing --. The term "the individual" on line 9 lacks antecedent basis and needs to be replaced with -- said one of the individuals --. The term "the ability" on line 9 lacks antecedent basis and should be replaced with -- an ability --. The term "file directory name" on line 9 should be replaced with -- said file directory names -- to achieve proper antecedent basis. The phrase "this name change process" on line 11 should be replaced with -- the ability to change his file directory name --.

Regarding **claim 2**, a -- : -- should be placed on line 15 after the word "of" to clarify the claim. The term "the webpages" on line 18 should be replaced with -- the websites -- to establish proper antecedent basis. The term "data" on line 19 should be replaced with -- the data --. The term "websites" on line 2 on page 105 should be replaced with -- said websites -- to establish antecedent basis.

Regarding **claim 3**, the phrase "the website in claim 2" on line 3 should be

replaced with -- The system of websites in claim 2 --. The phrase "each individual" on

line 4 should be replaced with -- each one of said individuals -- to establish antecedent

basis.

Regarding **claim 4**, the phrase "the website in claim 2" on line 6 should be

replaced with -- The system of websites in claim 2 --. The phrase "each individual" on

line 7 should be replaced with -- each one of said individuals -- to establish antecedent

basis.

Regarding **claim 5**, the phrase "the website in claim 2" on line 9 should be

replaced with -- The system of websites in claim 2 --. The phrase "each individual" on

line 10 should be replaced with -- each one of said individuals -- to establish antecedent

basis.

Regarding **claim 6**, the term "the claims 2" on line 12 should be replaced with --

claim 2 --. The term "data fields" on line 13 should be replaced with -- the data fields --.

The term "contacts information" on line 14 should be replaced with -- the contacts

information --.

Regarding **claim 7**, the term "A contacts management system" on line 17 should

be replaced with -- The contacts management system --. The term "the claim 6" on line

17 should be replaced with -- claim 6 --. The term "individuals" on line 3 on page 106

should be replaced with -- the individuals --. The word "he" on line 3 is a typographical

error and should be replaced with -- the--. The term "contact manager" on lines 4-5

should be replaced with -- contacts management system --.

Regarding **claim 8**, the term "The addressing system" on line 6 should be replaced with -- The system --. A -- : -- should be placed on line 6 after the number "1" to clarify the claim. The term "the added feature" on line 7 has not been defined and should be replaced with -- an added feature --.

Regarding **claim 7**, the word "throught" on line 3 on page 106 is a typographical error and should be replaced with -- throughout --.

Regarding **claim 9**, the phrase "the individual" on line 13 should be replaced with -- each of the individuals --.

Regarding **claim 10**, the term "the text portion" on line 15 should be replaced with -- a text portion --. The phrase "the name-Subdomain-Domain portion" on line 15 has not been defined yet and should be replaced with -- a name-Subdomain-Domain portion --. The term "the personal identity" on line 18 should be replaced with -- a personal identity --. A -- : -- should be placed on line 14 after the word "by" to clarify the claim.

Regarding **claim 11**, the term "A system of using layman-changeable file directory names" on line 3 should be replaced with -- The system --. The term "a module" on line 6 should be replaced with -- another module --. The term "the first name" on line 6 has not been defined and should be replaced with -- a first name --. Appropriate correction is required.

Claim Rejections - 35 USC § 112

2.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

3.   **Claims 1-9 and 11** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claim(s) are narrative in form and replete with indefinite and functional or operational language. The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device. The claim(s) must be in one sentence form only. Note the format of the claims in the patent(s) cited.

Regarding **claim 1**, this claim recites the limitation "the above" in line 6. This renders the claim unclear because the wording is vague as to what limitation "the above" corresponds to. The claim also recites the limitation "its" in line 10. This also renders the claim unclear because the word "its" is vague as to what limitation it refers back to.

Regarding **claim 2**, the use of the word "its" on line 16 makes the claim unclear since it is unknown to what limitation "its" refers to.

Regarding **claim 8**, the use of the word "its" on line 7 makes the claim unclear since it is unknown to what limitation "its" refers to.

Regarding **claim 9**, it recites the limitation "the addresses" in line 10. There is insufficient antecedent basis for this limitation in the claim. The claim also recites the limitation "its" in line 12. This also renders the claim unclear because the word "its" is

vague as to what limitation it refers back to. Claim 9 is also rejected as being

incomplete for claiming a method without listing any method steps.

Claim Rejections - 35 USC § 101

4.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-11 are rejected under 35 U.S.C. 101 because the claimed invention is

directed to non-statutory subject matter.

Regarding **claims 1, 8-9, and 11**, the independent claim is drawn towards a

system that allows individuals a way to communicate their profiles on the Internet using

a naming syntax and a file directory-changing scheme. This claim is software, per se.

The claim recites no limitation of requiring user interaction or hardware to execute the

claim. In order for a claim to be statutory, it must be encompassed by one of the

statutory categories of invention, which are machine, manufacture, process, or

composition of matter. This claim, and the dependent claims which also do not fall into

a statutory category, are rejected.

Regarding **claims 2-7**, the independent claim is drawn towards a system of

websites that can represent individuals with a naming syntax and can extract data from

the syntax using the Internet. This claim is software, per se. The claim recites no

limitation of requiring user interaction or hardware to execute the claim. In order for a

claim to be statutory, it must be encompassed by one of the statutory categories of

invention, which are machine, manufacture, process, or composition of matter. This

claim, and the dependent claims which also do not fall into a statutory category, are

rejected.

Regarding **claim 10**, the claim is drawn towards a method to establish personal

branding characteristics involving using a part of a URL to establish identity, allowing

websites to rank identity, and consolidating the identities. In order for a claim to be

statutory, it must result in a tangible, concrete, and useful output. There is no tangible

output such as displaying to a user or storing information, therefor the claim is non-

statutory.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6.   **Claim 10** is rejected under 35 U.S.C. 102(e) as being anticipated by Weyer et al.

(US 6,671,714 B1).

Regarding claim 10, Weyer et al. anticipates a method to establish personal

branding characteristics by

> a. Using the text portion of the name-Subdomain-Domain portion of a
>
> name-subdomain-domain-file-suffix or name-subdomain-domain to establish

identity in websites (column 11, lines 55-column 12, line 12, where names are

used in the third-level domain as a name-subdomain-domain identity)

      b. Allowing the websites to rank the personal identity (column 11, lines 15-

21, where user's can rate, seen as ranking, the members and this information is

displayed on the website)

      c. Consolidating the various personal identities (column 3, lines 42-56,

where a database can store all the contact information)

such that personal branding characteristics can be established on the Internet.

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

8.   **Claims 1-5, 8-9, and 11** are rejected under 35 U.S.C. 103(a) as being

unpatentable over Weyer et al. (US 6,671,714 B1) in view of RFC 1738 - Uniform

Resource Locaters (URL).

      Regarding **claim 1**, Weyer et al. discloses:

      A system using the non-protocol portion of a Universal Resource Locator names

to represent individuals by:

      a. Having the individual's name or representation of his name as the third

level domain name (subdomain) associated with a second level and first level

domain names (column 11, lines 55-column 12, line 12, where names are used in the third-level domain as a name-subdomain-domain identity), and

c. Giving the individual the ability to change his file directory name while retaining its original web content (column 11, lines 37-45, where a member of the community can enter information and this can alter the contact database's fields, seen as equivalent structures to file directories since they divide the member's information into separate areas, that the system has already created for the member automatically, thus retaining the original content's identity indicator), and

d. Having this name change process such that it is layman user friendly (column 11, lines 37-45, where the process described above is implemented in a contact database),

such that the individual can have an easy way to communicate his representation, have profiles of his communicated representation be addressable and shown on the Internet (Figure 9).

Weyer et al. does not disclose:

b. Having file directory names for the above such that using his name subdomain-file directory combination can show, using the Internet http addressing, his differing web content (profiles) for different file suffixes.

The general concept of using file directory names for any kind of similar groupings of data is well known in the art as illustrated by RFC 1738. RFC 1738 describes that any URL can have a domain string portion as well as a file directory path portion that points to where specific data is located (pages 5-6 and 9). It would have been obvious to one

of ordinary skill in the art at the time of invention to modify Weyer et al. with using path

names as taught by RFC 1738 in order to use user-friendly divisions of information as to

increase the organization of the website.

Regarding **claim 2**, Weyer et al. discloses:

A system of websites comprising of

b. means of extracting data fields and data from the webpages of such syntax

(Figure 9, where the title of the webpage is shown to have the syntax of name-

subdomain-domain)

c. means of manipulating data extracted (Figure 9, where the title is shown to be

from the data extracted and manipulated to be present on the page), and

d. means of presenting such manipulated information using the Internet (Figure

9, where the page is a web page in the Internet),

such that these websites can form a form of individuals' exchange system (Abstract,

where the online presence of all the members forms an individuals' exchange system).

Weyer et al. does disclose a syntax that includes a name-subdomain-domain for the

member's identity (column 11, lines 55-column 12, line 12, where names are used in the

third-level domain as a name-subdomain-domain identity), however Weyer et al. does

not disclose:

a. Using for its individuals' participants representations name-Subdomain-

Domain-File Directory syntax.

The general concept of using file directory names for any kind of similar groupings of

data is well known in the art as illustrated by RFC 1738. RFC 1738 describes that any

URL can have a domain string portion as well as a file directory path portion that points

to where specific data is located (pages 5-6 and 9). It would have been obvious to one

of ordinary skill in the art at the time of invention to modify Weyer et al. with using path

names as taught by RFC 1738 in order to use user-friendly divisions of information as to

increase the organization of the website.

Regarding **claims 3-5**, Weyer et al. and RFC 1738 teach all of the limitations as

described above, with Weyer et al. further disclosing the website in claim 2 applied

toward eCommerce as required by claim 3, toward employment as required by claim 4,

and toward matchmaking as required by claim 5. These applications of the invention

are anticipated in Weyer et al.'s doctor searching and ranking system (column 5, lines

17-62). User's of the community can search for doctors in a variety of ways and the

search hits can appear with maps, personal web sites, and rating information (column

11, lines 10-37). This use of the invention for doctor finding is similar to eCommerce

since doctors and patients eventually must make a monetary agreement. The invention

is also similar to an employment site, since doctors are ultimately employed to their

patients based on their credentials. The invention is also similar to a matchmaking site,

with doctor's and patients using the information such as ratings to find each other.

Weyer et al. teaches that his invention can be used for other applications (column 3,

lines 14-20).

Regarding **claim 8**, Weyer et al. and RFC 1738 teach all of the limitations as

described above, with Weyer et al. further disclosing the addressing system in claim 1

with the added feature of having a public communication, spam-resistant

communications system added to its name-Subdomain-domain address, such that a

public, easy-to-recall communications system can be set (Figure 3, with Item 215 being

a communication sent to a member of the service, and column 12, lines 4-8, with the

addressing system being "easy to remember"). The user's can communicate to the

members with a public (since it is available to anyone who uses the system), spam-

resistant (since email can be spam resistant), and easy-to-recall communication

system.

Regarding **claim 9**, Weyer et al. and RFC 1738 teach all of the limitations as

described above, with RFC 1738 further teaching a method in which the addresses in

claim one carry authorization information for which websites are authorized to extract

and participate its information such that an approval-for-use procedure in available for

the individual. The general concept of using authorization in address information in

order to authorize the use of the information is well known in the art as illustrated by

RFC 1738. RFC 1738 teaches that a user name and password can be added to URL

syntax (page 5). It would have been obvious to one of ordinary skill in the art at the time

of invention to modify the combination of Weyer et al. and RFC 1738 with the additional

teachings of using authorization as taught by RFC 1738 in order to protect the

information from unauthorized users and protect the privacy of the members of the

community.

Regarding **claim 11**, Weyer et al. and RFC 1738 teach all of the limitations as

described above, with Weyer et al. further disclosing a module to enable for the change

of the directory name to a second name, a module that erases or redirects the first

name, and a web entry point for this change, such that a layman can change his file

directory in an address system to preserve privacy (column 11, lines 37-45, where a

member of the community can enter information and this can alter the contact

database's fields, seen as equivalent structures to file directories since they divide the

member's information into separate areas, that the system has already created for the

member automatically, thus retaining the original content's identity indicator, but

redirecting the information to be sent to a new contact field, and also the whole process

is done via a contact database on the system, which is implemented on a web site as

noted in column 14, lines 10-19).

9.   **Claims 6 and 7** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Weyer et al. (US 6,671,714 B1) and RFC 1738 - Uniform Resource Locators (URL) as

applied to claim 2 above, and further in view of Douvikas et al. (US 6,691,158 B1).

        Regarding **claim 6**, Weyer et al. and RFC 1738 teach all of the limitations as

described above except for a contacts management system that comprises of the

claims 2 and is capable of extracting contacts information from the data and data fields,

and capable of manipulating contacts information, such that a business card and more

information can be easily transferred and exchanged. The general concept of extracting

contact information from data fields and manipulate them such that business cards can

be transferred and exchanged is well known in the art as illustrated by Douvikas et al.

Douvikas et al. describes a contact management system where a user can add contacts

to a personal address book from the online contact system (column 10, lines 53-63,

where a user can download a card from the "eCardfile", similar to extracting data from

data fields from an online entity). Douvikas also describes that the cards can be manipulated and exported to a business card (column 7, lines 2-24). It would have been obvious to one of ordinary skill in the art to modify Weyer et al. and RFC 1738 with using business card manipulations as taught by Douvikas et al. in order to have a storage of the online communication information that the online community produces.

Regarding **claim 7**, Weyer et al. and RFC 1738 teach all of the limitations as described above except for a contacts management system that comprises of the claim 6 and is able to provide consolidated profile information about an individual by: using a system of prioritization and consolidation to manipulate its stored identities such that fuller and easier views of individuals are available throughout the contact manager. The general concept of consolidating and prioritizing contact information is well known in the art as illustrated by Douvikas et al. Douvikas et al. describes a contact management system where a user can prioritize their contact list by name (Figure 10, with the alphabet creating a prioritized list based on letters in one's name), and also show-consolidated views as in Figure 15, where a user's information is consolidated in a screen display. It would have been obvious to one of ordinary skill in the art to modify Weyer et al. and RFC 1738 with using contact information manipulations as taught by Douvikas et al. in order to have a convenient display of the stored online communication information that the online community produces.
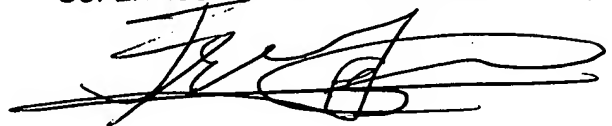
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam S. Weintrop whose telephone number is 571-270-1604. The examiner can normally be reached on Monday through Friday 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frantz Jules can be reached on 571-272-6681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AW 3/27/07

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